

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 7
Tara N. Bevier and Kevin C. Bevier, :
Debtors. : Bankruptcy No. 20-13785-MDC

ORDER

AND NOW, on December 7, 2020, Tara N. Bevier and Kevin C. Bevier (the “Debtors”) caused to be filed a reaffirmation agreement with creditor Exeter Finance LLC (the “Reaffirmation Agreement”).¹

AND, 11 U.S.C. §524(m)(1) provides that a reaffirmation agreement shall be presumed to be an undue hardship on a debtor if the debtor’s monthly income less the debtor’s monthly expenses as shown on the statement in support of the Reaffirmation Agreement required under 11 U.S.C. §524(k)(6)(A) is less than the scheduled payments on the reaffirmed debt.

AND, it appears from the Reaffirmation Agreement and the Debtors’ schedules that the Reaffirmation Agreement may constitute an undue hardship because, if approved, the Reaffirmation Agreements will result in the Debtors having a negative net income of \$1,384.41.

It is hereby **ORDERED** and **DETERMINED** that:

1. There is a presumption that the Reaffirmation Agreement would impose an undue hardship on the Debtors that has not been rebutted in writing. *See* 11 U.S.C. §524(m)(1).
2. Pursuant to §524(m)(1), a hearing shall be held on **January 12, 2021, at 10:30 a.m.**, in **Bankruptcy Courtroom No. 2, U.S. Bankruptcy Court, 900 Market Street, Philadelphia, Pennsylvania**, to determine whether the Reaffirmation Agreement will be

¹ Bankr. Docket No. 25.

disapproved (“the §524(m)(1) Hearing”). ****PLEASE NOTE ALL HEARINGS ARE CONDUCTED BY TELEPHONE -- 877-336-1828 Access Code 7855846.**

3. Pending the conclusion of the §524(m)(1) Hearing, the discharge order under 11 U.S.C. §727(a) shall not be entered. *See* Fed. R. Bankr. P. 4004(c)(1)(K).

Dated: December 15, 2020



MAGDELINE D. COLEMAN
CHIEF U.S. BANKRUPTCY JUDGE

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